

Message Text

CONFIDENTIAL

PAGE 01 STATE 068521

62

ORIGIN OFA-01

INFO OCT-01 ARA-06 IO-10 ISO-00 OES-03 INT-05 COME-00 EB-07

L-02 DLOS-03 CIAE-00 INR-07 NSAE-00 TRSE-00 SS-15

NSC-05 CG-00 DOTE-00 OMB-01 AID-05 DODE-00 /071 R

DRAFTED BY OES/OFA /FA B.S.HALLMAN:EEB

APPROVED BY OES/OFA /FA L.NAKATSU

ARA/LA/CAR-G.HIGH

L/OES-M.B.WEST

COMM/NOAA-H.BEASLEY

ARA/CAR-G.PALAZZOLO

----- 118729

P R 262023Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY NASSAU PRIORITY

INFO AMEMBASSY MEXICO

USMISSION GENEVA

C O N F I D E N T I A L STATE 068521

E.O. 11652: GDS

TAGS: EFIS, BF, US

SUBJECT: SPINY LOBSTER

REF: NASSAU 485

PASS TO DEPUTY ASST SECRETARY CLINGAN, US DEL, LOS

1. DEPT AGREES WITH EMBASSY THAT TIME IS OF THE ESSENCE
CONCERNING DISCUSSIONS WITH GCOB REGARDING PROBLEMS WHICH
MAY ARISE AS A RESULT OF RECENT GCOB SPINY LOBSTER LEGISLA-
TION. OWEVER, EMBASSY VIEW THAT CLOSED SEASON FROM APRIL
THROUGH JULY WILL PROVIDE GRACE PERIOD DOES NOT TAKE INTO
ACCOUNT OPPORTUNITY FOR U.S. FISHERMEN TO LAND IN FLORIDA
LOBSTER TAKEN OFF BAHAMAS DURING THE CLOSED SEASON. SUCH
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 068521

PRACTICES WILL BE VERY DIFFICULT TO ALTER IN ABSENCE OF

AGREED ACCOMMODATION ON PROBLEMS POSED BY NEW BAHAMIAN
LEGISLATION. THIS ADDS EVEN FURTHER URGENCY TO U.S.
INTEREST IN INITIATING TALKS WITHOUT DELAY.

2. DEPT APPRECIATES EMBASSY EFFORTS WITH RESPECT TO PRE-
PARING DRAFT RESPONSE AND BELIEVES THAT GENERAL APPROACH IS
A GOOD ONE. DEPT. HAS MODIFIED NOTE AND REQUESTS THAT
EMBASSY TRANSMIT FOLLOWING TO GCOB ASAP:

3. TEXT OF DIPLOMATIC NOTE:

(COMPLIMENTARY OPENING)...AND HAS THE HONOR TO REFER TO
THE MINISTRY'S NOTE NO. 31, DATED MARCH 17, 1975, CONCERN-
ING THE RECENT ENACTMENT OF LEGISLATION BY THE GOVERNMENT
OF THE COMMONWEALTH OF THE BAHAMAS RELEVANT TO THE EXER-
CISE BY THAT GOVERNMENT OF SOVEREIGN RIGHTS OVER THE
LIVING RESOURCES OF THE CONTINENTAL SHELF ADJACENT TO
THE COMMONWEALTH OF THE BAHAMAS.

THE EMBASSY REFERS TO PRIOR COMMUNICATIONS WITH THE
MINISTRY ON THIS SUBJECT IN WHICH THE AMBASSADOR STRESSED
THE IMPORTANCE WHICH THE UNITED STATES GOVERNMENT ATTACHES
TO THIS ISSUE AND TO THE MUTUAL INTEREST OF OUR TWO
GOVERNMENTS IN AVOIDING POSSIBLE INSTANCES OF CONFLICT
ARISING FROM ENFORCEMENT OF THE RECENT LEGISLATION.

IN LIGHT OF THE ABOVE BACKGROUND, THE EMBASSY RESPECTFULLY
REQUESTS OF THE MINISTRY THE FOLLOWING CLARIFICATIONS CON-
CERNING THE MINISTRY'S NOTE NO. 31 OF MARCH 17, 1975.

1. TAKING INTO CONSIDERATION WHAT WE HAVE BELIEVED TO BE
THE POSITION OF THE GCOB REGARDING THE MUTUAL ADVANTAGES
TO BE GAINED BY HOLDING DISCUSSIONS ON THE ISSUES PRE-
SENTED BY THE RECENT LEGISLATION PRIOR TO THE DATE ON
WHICH ACTUAL ENFORCEMENT OF THE LEGISLATION WAS TO COMMENCE
IN ORDER TO AVOID THE POSSIBILITY OF CONFLICT, DOES IT
CONTINUE TO BE THE VIEW OF THE GOVERNMENT OF THE COMMON-
WEALTH OF THE BAHAMAS THAT SUCH DISCUSSIONS WOULD BE
DESIRABLE?

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 068521

2. SUPPLEMENTARY TO THE QUESTION PRESENTED IMMEDIATELY
ABOVE, DOES THE GCOB PLAN, PENDING SUCH DISCUSSIONS, TO
EXTEND FOR U.S. VESSELS THE INTERIM PERIOD REFERRED TO IN
THE GCOB NOTE DURING WHICH IMPLEMENTATION OF THE NEW PRO-
VISIONS WILL BE DELAYED.

3. HOW WOULD THE GOVERNMENT OF THE COMMONWEALTH OF THE
BAHAMAS PROPOSE TO AVOID POSSIBLE DIFFICULTIES REGARDING

THE GEOGRAPHIC APPLICATION OF ITS REGULATIONS PENDING MULTILATERAL AGREEMENT ON THE QUESTION OF LIMITS OF JURISDICTION AT THE LAW OF THE SEA CONFERENCE AND BILATERAL AGREEMENT, AS NECESSARY, ON THE QUESTION OF DELIMITATION OF SUCH JURISDICTION BETWEEN THE COMMONWEALTH OF THE BAHAMAS AND THE UNITED STATES OF AMERICA?

4. DOES THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS PLAN TO ENGAGE IN DISCUSSIONS WITH THE GOVERNMENT OF THE

UNITED STATES OF AMERICA REGARDING POSSIBLE COOPERATIVE ARRANGEMENTS TO PROPERLY MANAGE AND CONTROL FISHING FOR SPINY LOBSTER RESOURCES OF MUTUAL CONCERN. IF SO, WHEN WOULD THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS PROPOSE THAT SUCH DISCUSSIONS COMMENCE?

THE GOVERNMENT OF THE UNITED STATES OF AMERICA BELIEVES, AS PREVIOUSLY EXPRESSED BY THE AMBASSADOR TO THE MINISTER, THAT EVERY EFFORT SHOULD BE MADE TO DISCUSS BILATERALLY AND AT THE EARLIEST POSSIBLE MOMENT THE INTENT AND POSSIBLE RAMIFICATIONS OF THE RECENT LEGISLATION. SUCH A MEETING WOULD PROVIDE THE OPPORTUNITY TO DISCUSS THE ABOVE QUESTIONS AND OTHERS WHICH MAY ARISE AS A RESULT OF THE RECENT GCOB LEGISLATION REGARDING SPINY LOBSTER. THE EMBASSY WOULD ALSO NOTE THAT WHEN A PRACTICAL PROBLEM EXISTS, IT HAS BEEN THE GENERAL PRACTICE OF NEIGHBORING COUNTRIES IN THE AREA, INCLUDING THE UNITED STATES, TO DELAY THE APPLICATION OF NEW AND MORE EXTENSIVE FISHERIES CONTROLS TO EACH OTHER'S FISHERMEN PENDING MUTUALLY SATISFACTORY AGREEMENT. CONSIDERING THE LIKELY RESULTS OF THE LAW OF THE SEA CONFERENCE, SUCH POLICIES MAY IN THE FUTURE BE OF PARTICULAR IMPORTANCE TO THE REGION. WITH THE DEEPEST RESPECT TE UNITED STATES GOVERNMENT THEREFORE
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 068521

URGES THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS TO JOIN IN BILATERAL DISCUSSIONS WITHOUT DELAY. THE AMBASSADOR AND HIS STAFF ARE AT THE DISPOSITION OF THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS TO ASSIST IN ANY WAY IN PREPARATIONS FOR BILATERAL DISCUSSION OF THIS IMPORTANT ISSUE.

(COMPLIMENTARY CLOSE) KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, SHELLFISH, TEXT, DIPLOMATIC NOTES
Control Number: n/a
Copy: SINGLE
Draft Date: 26 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: johnsorg
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE068521
Document Source: CORE
Document Unique ID: 00
Drafter: EEB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750106-0145
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750312/aaaaakym.tel
Line Count: 162
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN OFA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 NASSAU 485
Review Action: RELEASED, APPROVED
Review Authority: johnsorg
Review Comment: n/a
Review Content Flags:
Review Date: 01 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 JUL 2003 by KelleyW0>; APPROVED <18 DEC 2003 by johnsorg>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SPINY LOBSTER
TAGS: EFIS, BF, US
To: NASSAU
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006